

## **17A A.R.S. Sup.Ct.Rules, Rule 122**

### **Rule 122. Electronic and Photographic Coverage of Public Judicial Proceedings**

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Arizona Revised Statutes Annotated [Currentness](#)

Rules of the Supreme Court of Arizona [\(Refs & Annos\)](#)

XII. Miscellaneous Provisions

#### **➡Rule 122. Electronic and Photographic Coverage of Public Judicial Proceedings**

Electronic and still photographic coverage of public judicial proceedings conducted by a judicial officer during sessions of court may be permitted in accordance with the following guidelines:

(a) No electronic or still photographic coverage of juvenile court proceedings shall be permitted, except that such coverage may be permitted in adoption proceedings for the purpose of memorializing the event, with the agreement of the parties to the proceeding and the court.

(b) Electronic and still photographic coverage of public judicial proceedings other than the proceedings specified in paragraph (a) above may be permitted in the discretion of the judge giving due consideration to the following factors:

- (i) The impact of coverage upon the right of any party to a fair trial;
- (ii) The impact of coverage upon the right of privacy of any party or witness;
- (iii) The impact of coverage upon the safety and well-being of any party, witness or juror;
- (iv) The likelihood that coverage would distract participants or would detract from the dignity of the proceedings;
- (v) The adequacy of the physical facilities of the court for coverage;
- (vi) The timeliness of the request pursuant to subsection (f) of this Rule; and
- (vii) Any other factor affecting the fair administration of justice.

(c) The judge may limit or prohibit electronic or still photographic coverage only after making specific, on-the-record findings that there is a likelihood of harm arising from one or more of the above factors that outweighs the benefit to the public of camera coverage.

(d) Electronic and still photographic coverage of the appearance or testimony of a particular witness may be prohibited if the judge determines that such coverage would have a greater adverse impact upon the witness or his or her testimony than non-electronic and non-photographic coverage would have.

(e) The law generally applicable to inclusion or exclusion of the press or public at court proceedings or during the testimony of particular witness shall apply to the coverage hereunder. The exercise of the judge's discretion in limiting or precluding electronic or still photographic coverage shall be reviewable only by special action.

(f) Requests by the media for coverage shall be made to the judge of the particular proceeding sufficiently in advance of the proceeding or portion thereof as not to delay or interfere with it. Unless the judicial proceeding is scheduled on less than three days notice, the request to tape or photograph a proceeding must be made no less than two days in advance of the hearing. The judge shall notify all

parties and witnesses of the request. If there is any objection to a request for camera coverage or an order allowing electronic or still photographic coverage, the court shall hold a hearing promptly.

(g) Objections of a party to coverage must be made on the record prior to commencement of the proceeding or portion thereof for which coverage is requested. Objections of a non-party witness to coverage of his or her appearance or testimony may be made to the judge at any time. Any objection not so made will be deemed waived.

(h) Nothing herein shall alter the obligation of any attorney to comply with the provisions of the Arizona Rules of Professional Conduct governing trial publicity.

(i) Individual journalists may use their personal audio recorders in the courtroom, but such usage shall not be obtrusive or distracting and no changes of tape or reels shall be made during court sessions. In all other respects, news reporters or other media representatives not using cameras or electronic equipment shall not be subject to these guidelines.

(j) No media film, videotape, still photograph or audio reproduction of a judicial proceeding shall be admissible as evidence in such proceeding or in any retrial or appeal thereof.

(k) Coverage of jurors in a manner that will permit recognition of individual jurors by the public is strictly forbidden. Where possible, cameras should be placed so as to avoid photographing jurors in any manner.

(l) Absent express permission of the court, there shall be no audio recording or broadcasting of conferences in the court building between attorneys and their clients, between attorneys, of jury interviews or in any part of the court building where a judicial proceeding is not being conducted.

(m) It shall be the responsibility of the media to settle disputes among media representatives, facilitate pooling where necessary, and implement procedures which meet the approval of the judge of the particular proceeding prior to any coverage and without disruption to the court. If necessary the media representatives shall elect a spokesperson to confer with the court.

(n) No more than one television camera and one still camera mounted on a tripod, each with a single camera operator, shall be permitted in the courtroom for coverage at any time while court is in session. The broadcast media shall select a representative to arrange the pooling of media participants. The court shall not participate in the pooling agreement.

(o) The judge of a particular proceeding shall, in a manner which preserves the dignity of the proceeding, designate the placement of equipment and personnel for electronic and still photographic coverage of that proceeding, and all equipment and personnel shall be restricted to the area so designated. Whenever possible, media equipment and personnel shall be placed outside the courtroom. Videotape recording equipment not a component part of a television camera shall be placed outside the courtroom. To the extent possible, wiring shall be hidden, and in any event shall not be obtrusive or cause inconvenience or hazard. While court is in session, equipment shall not be installed, moved or taken from the courtroom, nor shall photographers or camera operators move about the courtroom.

(p) All persons engaged in the coverage permitted hereunder shall avoid conduct or dress which may detract from the dignity of the proceedings.

(q) If possible, media equipment shall be connected to existing courtroom sound systems. No flash bulbs, strobe lights or other artificial lights of any kind shall be brought into the courtroom by the media for use in coverage of a proceeding. Where the addition of higher wattage light bulbs, additional standard light fixtures, additional microphones or other modifications or improvements are sought by the media, the media, through their spokesperson, shall make their recommendations to the presiding judge of the Superior Court, who may direct whatever modifications or improvements deemed necessary. Any such modifications or improvements shall be made and maintained without public expense.

(r) Television or still cameras which produce distracting sound shall not be permitted. In this regard, the presiding judge may consider a non-digital still camera acceptable if accompanied by a device that effectively muffles camera sounds.

(s) Cameras and microphones used in the coverage permitted hereunder shall meet the "state of the art." A camera or microphone shall be deemed to meet the "state of the art" when equal in unobtrusiveness, technical quality and sensitivity to equipment in general usage by the major broadcast stations in the community in which the courtroom is located.

(t) Any questions concerning whether particular equipment complies with these guidelines shall be resolved by the presiding judge of the Superior Court or designee.

(u) To facilitate implementation of this rule, the presiding judge of the Superior Court may appoint an advisory committee to make recommendations regarding improvements affecting media coverage of judicial proceedings.

(v) In the case of coverage of proceedings in the Arizona Supreme Court and Courts of Appeal, references herein to the "judge of the particular proceeding" or the "presiding judge of the Superior Court" shall mean the Chief Justice of the Arizona Supreme Court or the Chief Judge of the Court of Appeals, as the case may be.